

# **EXHIBIT C**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

JAVIER CESARIO and  
FERNANDO MARTINEZ,

Plaintiffs,

v.

BNI CONSTRUCTION, INC.,  
MIKIAL ABDUR-RAHIM and  
MUSA LAST NAME UNKNOWN,

Defendants.

Case No. 07 Civ. 8545 (LLS)

**CERTIFICATE OF  
DEFAULT**

I, J. Michael McMahon, Clerk of Court of the United States District Court for the Southern District of New York, do hereby certify that none of the defendants, BNI Construction, Inc., Mikial Abdur-Rahim or Musa Last Name Unknown, have answered or otherwise responded to the Summons and Complaint herein. The default of said defendants is hereby noted pursuant to Rule 55(a) of the Federal Rules of Civil Procedure and Local Civil Rule 55.1 of this Court.

Dated: New York, New York

2/13/, 2008

J. MICHAEL McMAHON

Clerk of Court

By: 

Deputy Clerk